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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 JAMES CLINTON FAIRCLOTH, JR.,

7 Petitioner,

8 v.

9 PATRICK R. GLEBE,

10 Respondent.

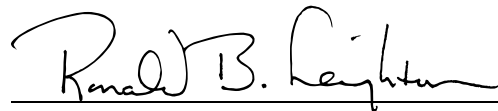
No. C11-5895 RBL/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

11 The Court, having reviewed the petition for writ of habeas corpus, the response, the  
12 Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report  
13 and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- 14 (1) The Court adopts the Report and Recommendation.
- 15 (2) Petitioner's Motion for Voluntary Dismissal (ECF NO. 23) is **GRANTED** and the  
16 petition for writ of habeas corpus (ECF No. 8) is **dismissed without prejudice**.  
17 Petitioner's Motion for Extension of Time (ECF No. 22) is **DENIED as moot**.
- 18 (3) The Clerk is directed to send copies of this Order to Petitioner, counsel for  
19 Respondent and to the Hon. Karen L. Strombom.

20 **DATED** this 15<sup>th</sup> day of May, 2012.

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23 Ronald B. Leighton  
24 United States District Judge  
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